

BILL NO. G-73-08-27

GENERAL ORDINANCE NO. G- 22-73

AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of an alley north of Creighton Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public alley by the Fort Wayne Redevelopment Commission having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on July 23, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The first east-west alley north of Creighton Avenue. Beginning at the East line of Bowser Avenue, continuing east to the West line of Holton Avenue.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Virgil L. Schmitt
Councilman

APPROVED AS TO FORM
AND LEGALITY.

[Signature]
CITY ATTORNEY

Read the first time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 8/14/73

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed (Last) by the following vote:

AYES 9, NAYS 0, ABSTAINED _____, ABSENT _____ to-wit:

BURNS	<u>✓</u>	_____	_____	_____
HINGA	<u>✓</u>	_____	_____	_____
KRAUS	<u>✓</u>	_____	_____	_____
MOSES	<u>✓</u>	_____	_____	_____
NUCKOLS	<u>✓</u>	_____	_____	_____
SCHMIDT, D.	<u>✓</u>	_____	_____	_____
SCHMIDT, V.	<u>✓</u>	_____	_____	_____
STIER	<u>✓</u>	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____

DATE: 8-28-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (General) (~~Annexation~~) (~~Special~~) (Appropriation) Ordinance (Resolution) No. G-22-73 on the 28th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winifred C. Morris Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P. M., E.S.T.

David H. Pearson
MAYOR

Bill No. G-73-08-27

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance G-97 by authorizing the
vacation of an alley north of Creighton Avenue

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance ADO PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

CONCURRED IN

DATE 8-28-73 CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

office of city plan commission

July 25, 1973

COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

The first east-west alley north of Creighton Avenue.
Beginning at the east line of Bowser Avenue, continuing
east to the West line of Holton Avenue.

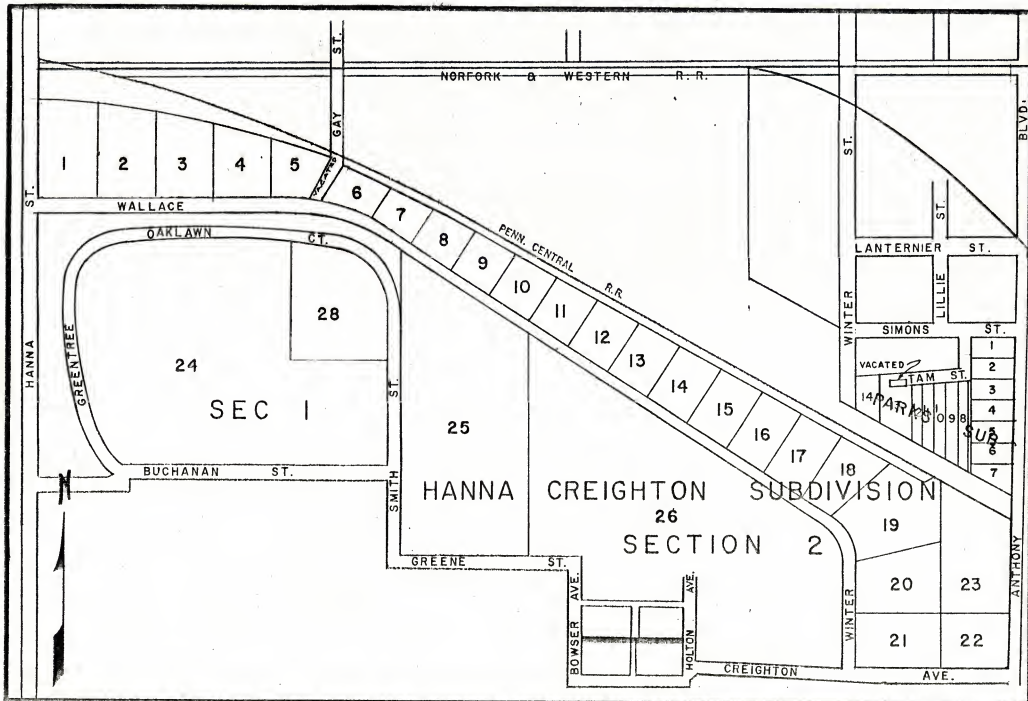
which was approved by the City Plan Commission at its regular meeting
held July 23, 1973.

Respectfully submitted,

CITY PLAN COMMISSION

Gretchen Wiegel
Gretchen Wiegel
Secretary

Certified and signed this
25th day of July, 1973.



ALLEY TO BE VACATED

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE THE BOARD OF
WORKS OF THE CITY OF
FORT WAYNE AND
THE CITY PLAN COMMISSION

PETITION TO VACATE ALLEY

1. That this petition involves the first east-west alley North of Creighton Avenue. Beginning at the east line of Bowser Avenue, continuing east to the West line of Holton Avenue.

2. That the alley as it now exists lies within an Urban Renewal Project for which the Urban Renewal Plan calls for the vacation of said alley.

WHEREFORE, the undersigned respectfully prays that the alley
be vacated.

CITY OF FORT WAYNE
DEPARTMENT OF REDEVELOPMENT

BY

Anthony M. Caruso
Executive Director

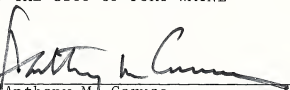
To the Fort Wayne City Plan Commission, Fort Wayne, Indiana

The Department of Redevelopment of the City of Fort Wayne, by and through the Redevelopment Commission, respectfully requests and petitions the Fort Wayne City Plan Commission to conduct a Public Hearing on the vacation of a public alley in the City of Fort Wayne, more specifically described in the form of a Notice attached hereto and by this reference made a part hereof, all in accordance with Section 44 of Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana as Amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes Annotated, 1964, replacement, Section 53-774).

Dated this 21st day of June, 1973.

DEPARTMENT OF REDEVELOPMENT
OF THE CITY OF FORT WAYNE

BY


Anthony M. Caruso
Executive Director

FORT WAYNE REDEVELOPMENT COMMISSION

RESOLUTION

WHEREAS, the City of Fort Wayne, Department of Redevelopment has petitioned and requested the Fort Wayne City Plan Commission to hold a Public Hearing upon the vacation of the following public alley in Allen County, Indiana, to-wit:

The first east-west alley North of Creighton Avenue. Beginning at the east line of Bowser Avenue, continuing east to the West line of Holton Avenue.

All in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 285, of the Acts of 1963 of the General Assembly of the State of Indiana, IND. ANN. STAT. S 53-744 (Burns 1964 Repl. Ed.); and

WHEREAS, Notice of such Public Hearing has been given by due and proper publication thereof; and

WHEREAS, said Public Hearing was held on the 23rd day of July, 1973 at 7:30 P.M., and at such hearing there were no objections of any kind or character which would prevent the vacation of said public alley.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described, conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved; and

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

Dated this 23rd day of July, 1973.



President
FORT WAYNE CITY PLAN COMMISSION

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, Alan R. Grinsfelder, President
of the Fort Wayne City Plan Commission, do hereby certify that
attached hereto is a full, true and correct copy of a Resolution
adopted by the Fort Wayne City Plan Commission following a
Public Hearing of said Commission held on the 23rd day of
July, 1973, and as the same appears on record in the
official records of the Plan Commission.

Dated the 23rd day of July, 1973.


President
FORT WAYNE CITY PLAN COMMISSION

REDEVELOPMENT COMMISSION


Inter-Office Memorandum

To: Mr. Gary Baeten, City Plan Commission
From: Anthony M. Caruso, Executive Director
Subject: Hanna-Creighton Urban Renewal Project

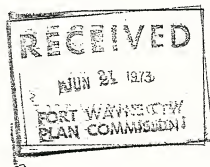
Date: 6/21/73

Attached hereto is a request submitted by this Commission in connection with the vacation of an alley located in the above referenced Project area. Accompanying the Petition to Vacate Alley are copies of the Public Hearing Notice published in two (2) local papers on July 9, 1973, and a Resolution to be considered by the City Plan Commission on July 23, 1973 at a Public Hearing.

It is requested therefore, that this matter be placed on the Agenda for action and that our office be notified following the hearing. If there are any questions or if additional information is required, please advise.


Anthony M. Caruso
Executive Director

AMC/mbv
Attachments



DIGEST SHEET

G-73-08-27

TITLE OF ORDINANCE

Alley vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE

City Plan Commission

SYNOPSIS OF ORDINANCE

Preparation of a Alley Vacation Ordinance

initiated by property owners to vacate the following described real estate:

The first east-west alley north of Creighton Avenue. Beginning at the

east line of Bowser Avenue, continuing east to the West line of Holton

Avenue.

EFFECT OF PASSAGE

Alley would be closed (vacated) and utilized by

property owners.

EFFECT OF NON-PASSAGE

Alley would remain open

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

none

ASSIGNED TO COMMITTEE (J.N.) REG

WCH

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	<i>6-73-08-27</i>
ORDINANCE NO.	<i>11-22-73</i>
REGULAR SESSION	<i>Aug 14-73</i>
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	<i>Fled.</i>
<input checked="" type="checkbox"/> BILL WRITTEN BY	<i>City Plan Com.</i>
DATE INTRODUCED	<i>Aug 14-73</i>
REFERRED TO SAID STANDING COMMITTEE	<i>Household Regulations</i>
REFERRED TO CITY PLAN	
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
<input checked="" type="checkbox"/> PASS	<i>8-28-73</i>
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

<input checked="" type="checkbox"/>	COMMITTEE SHEET
<input checked="" type="checkbox"/>	VOTE SHEET
	PURCHASE ORDERS
	<i>Resolutions -</i>
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS - <i>from Rodwell & Co.</i>
	FROM <i>City Plan Commission</i>
<input checked="" type="checkbox"/>	<i>Letter to Waste Dept.</i>
	ZONING MAPS
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

Digitized Sheet -

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	<input checked="" type="checkbox"/>		
HINGA	<input checked="" type="checkbox"/>		
KRAUS	<input checked="" type="checkbox"/>		
MOSES	<input checked="" type="checkbox"/>		
NUCKOLS	<input checked="" type="checkbox"/>		
D. SCHMIDT	<input checked="" type="checkbox"/>		
V. SCHMIDT	<input checked="" type="checkbox"/>		
STIER	<input checked="" type="checkbox"/>		
TALARICO	<input checked="" type="checkbox"/>		

COMMENTS:

CITY OF FORT WAYNE
CITY-COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN
CITY CLERK

August 30, 1973

Miss Helga Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of September 1, and September 8, 1973, in both the News Sentinel and Journal Gazette.

RE: Legal Publication for Common Council
of Fort Wayne, Indiana:

General Ordinance No. G-20-73 -
Authorizing the vacation of an alley
and two streets.

General Ordinance No. G-21-73
Authorizing the vacation of an alley
and two streets.

General Ordinance No. G-22-73
Authorizing the vacation of an alley
north of Creighton Avenue.

General Ordinance No. G-23-73
Amending certain sections of Chapter 31
of the 1946 Municipal Code of the City
Fort Wayne, Indiana.

Please send us 4 (4) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

CWW/ne
ENCL: 4

Charles W. Westerman
City Clerk

Common Council—City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

91 lines, columns wide equals equivalent lines at 288¢ cents per line \$ 26.21

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date September 14, 1973

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
Allen County

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

September 1, 1973

September 8, 1973

Subscribed and sworn to before me this 14th day of September 1973

Notary Public

My commission expires October 3, 1975

Notice is hereby given that on the 28th day of August, 1973, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. G-73-29-27, G-22-73 General Ordinance, 30-will:

Bill No. G-73-29-27 General Ordinance No. G-22-73

AN ORDINANCE amending General Ordinance G-49 by authorizing the vacation of an alley north of Creighton Avenue, BE IT ORDAINED BY THE COMMON

COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public alley by the Fort Wayne Redevelopment Commission having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on July 23, 1973 following a public hearing thereon at its convenience with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 2, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 33-194), the Throughfare Plan as set forth in General Ordinance No. G-27 of the Common Council of the City of Fort Wayne on November 26, 1962, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The first east-west alley north of Creighton Avenue, beginning at the East line of Bowser Avenue, continuing north to the West line of Holton Avenue.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

VIVIAN G. SCHMIDT, Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage.

PASSED by the following vote:

Aye: Nims, Burns, Hingo, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Sier, Talarico.

Nays: None

Dated: 8-29-73 Charles W. Westerman, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-22-73 on the 28th day of August, 1973.

Attest: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk

Approved and signed by me this 29th day of August, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF, Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-22-73 passed by the Common Council on the 28th day of August, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of August, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of August, 1973.

CHARLES W. WESTERMAN, CITY CLERK

Common Council-City of Ft. Wayne
(Governmental Unit)

To.....NEWS-SENT INEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines _____

Head number of lines _____

Body number of lines _____ 89

Tail number of lines _____ 2

Total number of lines in notice _____ 91

COMPUTATION OF CHARGES

91 lines, columns wide equals equivalent lines at .288¢ cents per line \$ 26.21

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) (2) 1.00

TOTAL AMOUNT OF CLAIM \$ 27.21

DATA FOR COMPUTING COST

Width of single column 11 ems Size of type 5½ point

Number of insertions 2 Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Date September 14, 1973

Title Clerk

Notice is hereby given that on the 28th day of August, 1973, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. G-22-73, General Ordinance, to-wit:

Bill No. G-22-73 General Ordinance No. G-22-73.

AN ORDINANCE amending General Ordinance G-97 by authorizing the location of an alley north of Creighton Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the location of a public alley by the Fort Wayne Redevelopment Commission having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on July 17, 1973 following a public hearing thereon, in accordance with Section 35 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of Indiana (Burns' Ind. Stat., 1964 Replacement, forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 25, 1963, as amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The first east-west alley north of Creighton Avenue, beginning at the East line of Bowser Avenue, continuing east to the West line of Horton Avenue.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

VIVIAN G. SCHMIDT, Councilman

Read the third time in full and on motion by Nuckolls, seconded by V. Schmidt, and duly adopted, placed on its passages.

PASSED by the following vote:

Ayres: Nine; Burns, Hinga, Kraus, Nosses, Nuckolls, D. Schmidt, V. Schmidt, Strier, Talarico.

Nays: None

Date: 8-28-73 Charles W. Westerman, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on the 28th day of August, 1973.

Attest: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF, Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-22-73 passed by the Common Council on the 28th day of August, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of August, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of August, 1973.

CHARLES W. WESTERMAN, CITY CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

September 1, 1973
September 8, 1973

Subscribed and sworn to before me this 14th day of September 1973

My commission expires October 25, 1975

A. M. Hostman
Notary Public